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Docket No. 13282-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Clarke

Group Art Unit 1761

Serial No.: 09/989,682

Filing Date: November 20, 2001

Title: Packaging of Respiring Biological Materials

Assistant Commissioner for Patents  
Washington, DC 20231

DISCLOSURE UNDER 37 CFR 1.56

Sir:

In fulfilling the duty of candor and good faith, the documents listed on the attached PTO-1449 (two copies) are disclosed to the Office in accordance with 37 CFR § 1.56. It should be noted the word "prior" has been deleted from the attached PTO-1449. It is not admitted that the information in the listed documents is material to patentability as defined in 37 CFR § 1.56(b) or that the documents are analogous art. The Examiner is asked to consider these documents, and to confirm such consideration by returning an initialed and signed copy of the PTO-1449.

Copies of all the cited documents were previously submitted to the Office as part of an Information Disclosure Statement complying with 37 CFR 1.98 (a) through (c) in prior application Serial No. 09/858,190, which is relied on for an earlier effective filing date under 35 USC 120. Therefore, copies of the documents listed on the attached PTO-1449 are not attached, because 37 CFR 1.98(d) states that copies of such document(s) need not be provided.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

On Jan. 8, 2003

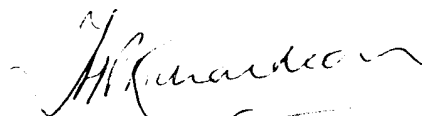
Typed name of person signing this certificate: T. H. P. Richardson

Signature

Applicant believes that because this Disclosure Statement is being submitted before the first Office Action on the merits, no fee is due. If this is incorrect, please charge any necessary fee for consideration of this Disclosure Statement to Deposit Account No. 19-2090 (Sheldon & Mak).

It is believed that this Disclosure complies with the requirements of 37 CFR 1.56 and the MPEP. If the some reason the Examiner thinks otherwise, he is asked to call the undersigned so that any deficiencies can be remedied.

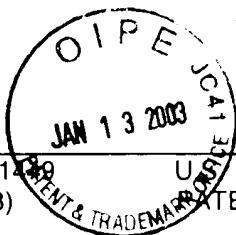
Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'T.H.P. Richardson', is written over a horizontal line.

T.H.P. Richardson

Reg. No. 28,805

Tel. No. 650-854-6304

FORM PTO-119 (Rev 8/83) U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEAtty. Docket No.: **13282-2**  
Appl'n No.: **09/989,682**Applicant: **Clarke**Filing Date:  
**November 20,  
2001**Group:  
**1761****INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

**US PATENT DOCUMENTS**

* Exr. initial	Document number	Date	Name	Class	Sub- class	Filing date (if appropriate)

**FOREIGN PATENT DOCUMENTS**

* Exr. initial	Document number	Date	Country	Class	Sub- class	Translation enclosed (?)

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

Exr. initial	Details of Document	Translation enclosed (?)
	Clarke et al., "Temperature Switchable Membranes for Creating and Maintaining Beneficial Package Atmospheres for Fresh Produce", Plastic Film and Sheeting, <b>17</b> , pp. 22-34 (January, 2001)	
	Clarke, "Temperature Switchable Membranes for Packaging Fresh Produce", 2000 TAPPI Polymers, Laminations & Coatings Conference, November, 2000, pp. 1257-1271	
	Clarke, "Temperature Switchable Membranes for Packaging Fresh Produce", Paper, Film & Foil Converter, November 1, 2000	
	Clarke, "Temperature Switchable Membranes for Creating and Maintaining Beneficial Package Atmospheres for Fresh Produce", 1999 Polymers, Laminations & Coatings Conference, pp. 663-669 <i>August 1999</i>	
	Clarke et al., "The Future in Film Technology: a Tunable Packaging System for Fresh Produce", 7 <sup>th</sup> Int. Controlled Atm. Res. Conf CA97 Proc. <b>5</b> , 68-75 (October 1997)	
	Mannapperuma et al., "Design of Polymeric Packages for Modified Atmosphere Storage of Fresh Produce", Proc. 5 <sup>th</sup> Int'l Res. Conf, vol 2, pp. 225-233	
	Liu,, "The Ethylene Problem in Apple Storage", Michigan State University, Hort. Rep 28, pp. 86-96 (1977)	
	Kader, "Relative Tolerance of Fruits and Vegetables to Elevated CO <sub>2</sub> and reduced O <sub>2</sub> Levels", Michigan State University, Hort. Rep 28, pp. 260-2 64 (1977)	
	Marriott, "Bananas -- Physiology and Biochemistry of Storage and Ripening for Optimum Quality", CRC Critical Reviews in Food Science & Nutrition, pp. 41-54 (1980)	
	Liu, "Storage of Bananas in Polyethylene Bags with an Ethylene Absorbent", HortScience, 5 (1), pp. 25-27 (February, 1970)	

Examiner's signature

Date considered

- EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.